

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

Charlie L. Swain,

Case No. 17-cv-01405

Plaintiff

v.

ORDER

Commissioner of Social Security,

Defendant

Before me is the May 2, 2018 Report and Recommendation of Magistrate Judge Jonathan D. Greenberg, recommending I affirm the decision of the Commissioner of Social Security denying the applications of Plaintiff Charlie L. Swain for Period of Disability, Disability Insurance Benefits, and Supplemental Security Income.

Under the relevant statute, “[w]ithin fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court.” 28 U.S.C. § 636(b)(1); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981). In this case, the fourteen day period has elapsed and no objections have been filed.

The failure to file written objections to the Magistrate Judge’s Report and Recommendation constitutes a waiver of a determination by the district court of an issue covered in the report.

Thomas v. Arn, 728 F.2d 813 (6th Cir. 1984), *aff’d*, 474 U.S. 140 (1985); *see also Walters*, 638 F.2d at 950 (6th Cir. 1981); *Smith v. Detroit Fed’n of Teachers, Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987) (“only those specific objections to the magistrate’s report made to the district court will be preserved for appellate review”).

Following review of the Magistrate Judge’s Report and Recommendation, I adopt the Report and Recommendation, (Doc. No. 15), in its entirety as the Order of the Court, and affirm the

Commissioner's decision. As the failure to file objections to a magistrate judge's report also waives appellate review, *Smith*, 829 F.2d at 1373, I also decline to issue a certificate of appealability.

So Ordered.

s/ Jeffrey J. Helmick
United States District Judge